

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Brian D. Cunningham      Confirmation No.: 5291  
Serial No.: 10/803,120      Group Art Unit: 2145  
Filed: March 17, 2004      Examiner: Matthew E. Kessler  
FOR: **SYSTEM AND METHOD FOR DETECTING AND FILTERING UNSOLICITED  
AND UNDESIRED ELECTRONIC MESSAGES**

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**REPLY UNDER 37 C.F.R. 1.116**

In response to the Final Office Action mailed September 23, 2008, the response to which is due December 23, 2008, Applicant submits the following Remarks.

Applicant does not believe that extensions of time fees are required. However, if extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-1283.

**Amendments to the claims** begin on page 2 of this paper.

**Remarks** begin on page 11 of this paper.